Ms. O’Connor called the meeting to order at 1:00 pm. The Board received as Exhibit 1 the contents of the City’s file on each case.

**Cases:**

1. 18-02-007 *Laid over from 2/26/18*
   
   Merle Rambo  
   Rambo Associates, Inc.  
   406 South 12th Street, Suite 300  
   Omaha, NE 68102
   
   **REQUEST:** Appeal Park Omaha’s termination notice for a loading zone dated 12/12/17 (RE: 406 South 12th Street)
   
   The applicant requested a layover of this case until the April 23, 2018 meeting.
   
   Mr. Kruse moved to LAYOVER until the April 23, 2018 meeting. Mr. Santo seconded the motion.
   
   AYES: Santo, Kruse, O’Connor
   
   **MOTION CARRIED 3-0.**

2. 18-03-012
   
   Blake Weatherly  
   Olsson Associates  
   2111 South 67th Street, Suite 200  
   Omaha, NE 68106
   
   **REQUEST:** Appeal Public Works Department denial of a driveway permit dated 3/5/18 (RE: Charlie Graham – 42nd & Leavenworth Streets)
   
   At the Administrative Board of Appeals meeting held on March 26, 2018, Luke Weatherly (Olsson Associates) appeared before the board. Ryan Haas (Public Works) appeared on behalf of the City.
   
   Mr. Haas stated that the existing lot on the southeast corner of 42nd & Leavenworth would be removed and a new auto repair facility would be constructed. There would be no access to 42nd or Leavenworth Streets. The request was for a second driveway off of 41st Street. There is no parking on the west side of 41st Street. He noted that it is a low-speed/low-volume street that did not raise any safety concerns.
Mr. Weatherly stated that the site would be the new location for the Charlie Graham auto body shop. He explained that the accesses onto 42nd Street and Leavenworth Street would be removed and two accesses were being proposed for 41st Street to maintain circulation on the site for service trucks and customers.

Mr. Santo believed that the proposed plan for the business was better than its existing situation on the northwest corner of 42nd & Leavenworth.

Mr. Santo moved to GRANT the request. Mr. Kruse seconded the motion.

AYES: Santo, Kruse, O’Connor

MOTION CARRIED 3-0. Appeal granted.

3. 18-03-013
Joey R. Armour
6724 Crownpoint Avenue
Omaha, NE 68104

REQUEST: Appeal of the Police Department’s denial of a firearm registration dated 2/6/18.

At the Administrative Board of Appeals meeting held on March 26, 2018, the applicant failed to appear before the board. Lt. Dave Sedlacek appeared on behalf of the Omaha Police Department.

Lt. Sedlacek stated that the applicant’s firearm registration was denied on February 6, 2018 due to a concealed weapon conviction from May 30, 2002 for which he was fined $10. He stated that on April 4, 2013, Mr. Armour was stopped for speeding. Officers detected the odor of marijuana coming from the vehicle. Marijuana was found in the vehicle and on May 8, 2013 the applicant was convicted of possessing marijuana less than one ounce for which he was fined $300.

Mr. Kruse stated that he was inclined to lay the case over to give the applicant the opportunity to appear.

Mr. Kruse moved to LAYOVER until the April 23, 2018 meeting to give the applicant the opportunity to appear. Mr. Santo seconded the motion.

AYES: Santo, Kruse, O’Connor

MOTION CARRIED 3-0.

4. 18-03-014
Raymond A. Clark II
4017 Hamilton Street
Omaha, NE 68105

REQUEST: Appeal of the Police Department’s denial of a firearm registration dated 2/22/18.

At the Administrative Board of Appeals meeting held on March 26, 2018 Lt. Dave Sedlacek (Omaha Police Department) and Raymond Clark appeared before the board.

Lt. Sedlacek stated that the applicant’s firearm registration was denied on February 22, 2018 due to a marijuana less than one ounce conviction from November 5, 2014 for which he was fined $300. He explained that on October 2, 2014 officers were responding to a shots-fired call in the area of 37th & Browne. They approached a vehicle and noticed the strong odor of marijuana coming from it. Marijuana was found in the vehicle. Mr. Clark was cited and released. There were also traffic related offenses on his record.

Mr. Clark stated that the gun was given to him from his mother who is deceased. He admitted that the marijuana belonged to him.
Mr. Kruse and Mr. Santo both agreed that not enough time had passed since the date of his conviction.

Mr. Kruse moved to DENY the appeal. Mr. Santo seconded the motion.

AYES: Santo, Kruse, O’Connor

MOTION CARRIED 3-0. Appeal denied.

5.
18-03-015
Eugene Chapman
4313 Fort Street
Omaha, NE 68111

REQUEST: Appeal of the Police Department’s denial of a firearm registration dated 2/26/18.

At the Administrative Board of Appeals meeting held on March 26, 2018 Lt. Dave Sedlacek (Omaha Police Department) and Eugene Chapman appeared before the board.

Lt. Sedlacek stated that the applicant’s firearm registration was denied on February 26, 2018 due to a Carry Concealed Weapon conviction from August 3, 1992 for which he was fined $100. He stated that on May 18, 1992 the applicant was stopped by officers who suspected that he was driving under the influence. The officers found a loaded handgun under the driver’s seat. Mr. Chapman admitted that the handgun was his. He was arrested for DUI and carrying a concealed weapon. There were traffic related offenses on his record.

Mr. Chapman stated that he wanted a handgun for security. He stated that he had forgotten that the handgun was under the seat and indicated that the gun had been registered.

Mr. Kruse noted that the conviction was approximately 26 years ago.

Mr. Kruse moved to GRANT the appeal. Mr. Santo seconded the motion.

AYES: Santo, Kruse, O’Connor

MOTION CARRIED 3-0. Appeal granted.

6.
18-03-016
Angel L. Davis
3610 Ames Avenue
Omaha, NE 68111

REQUEST: Appeal of the Police Department’s denial of a firearm registration dated 2/23/18.

At the Administrative Board of Appeals meeting held on March 26, 2018, the applicant failed to appear before the board. Lt. Dave Sedlacek appeared on behalf of the Omaha Police Department.

Lt. Sedlacek stated that the applicant’s firearm registration was denied on February 22, 2018 due to a marijuana less than one ounce conviction from February 17, 2011 for which she was fined $300. He stated that on January 12, 2011, officers went to an apartment to located Ms. Davis. While she was being arrested for a traffic-related warrant, they saw marijuana belonging to the applicant. There were some other misdemeanors on her record.

Mr. Kruse moved to LAYOVER until the April 23, 2018 meeting to give the applicant the opportunity to appear.

AYES: Santo, Kruse, O’Connor
MOTION CARRIED 3-0.

7.
18-03-017
Jordan J. Miller
5209 Curtis Avenue
Omaha, NE 68104

REQUEST: Appeal of the Police Department’s denial of a firearm registration dated 3/8/18.

At the Administrative Board of Appeals meeting held on March 26, 2018 Lt. Dave Sedlacek (Omaha Police Department) and Eugene Chapman appeared before the board.

Lt. Sedlacek stated that the applicant’s firearm registration was denied on March 8, 2018 due to a marijuana less than one ounce conviction from June 5, 2012 for which he was fined $300. Officers performed a traffic stop on April 28, 2012 and smelled marijuana coming from the applicant’s car. Marijuana was found inside the vehicle. The applicant had 2 other marijuana less than one ounce convictions from June 2006 and June 2007 and an open container conviction from 2017.

Mr. Miller stated that he wanted a firearm to protect his home. In response to Mr. Kruse, Mr. Miller explained that during the 2017 incident, he was riding in the car with his brother and a friend who were drinking in the car. He explained that he was charged since he was the driver. He indicated that he no longer used marijuana and that he was employed at a company that performed drug testing if they found that it was necessary to do so. He stated that the gun would be secure.

Mr. Kruse commented that the applicant appeared to have become a responsible and productive member of society. He also noted that the conviction was approximately 6 years ago.

Mr. Kruse moved to GRANT the appeal. Mr. Santo seconded the motion.

AYES: Santo, Kruse, O’Connor

MOTION CARRIED 3-0. Appeal granted.

8.
18-03-018
Jeffrey L. Adkins
1426 High Street
Council Bluffs, IA 51503

REQUEST: Appeal denial of Third Grade Stationary Engineer License dated 2/28/18

At the Administrative Board of Appeals meeting held on March 26, 2018, Jeffrey Adkins appeared before the board. Thomas Phipps (Permits & Inspections) appeared on behalf of the City.

Mr. Phipps stated that that applicant attempted to renew his license on December 8, 2017. The license could not be renewed since it had expired on March 1, 2017. Mr. Phipps stated that no complaints had been reported about the applicant from employers or the general public. He suggested that if the board granted the request, Mr. Adkins be required to pay for his 2017 and 2018 licenses.

Mr. Adkins stated that, due to circumstances at his place of employment, he had not received his renewal for 2017.

In response to Mr. Santo, Mr. Davis stated that the applicant had not received the certified letter from Mr. Phipps informing him of the status of his license because it had been returned to Permits & Inspections for improper postage.
Mr. Kruse moved to GRANT the appeal subject to the applicant paying for his 2017 and 2018 licenses. Mr. Santo seconded the motion.

AYES: Santo, Kruse, O’Connor

MOTION CARRIED 3-0. Appeal granted.

9.

18-03-019
Doug Werth
4164 North 146th Plaza #207
Omaha, NE 68116

REQUEST: Appeal Nebraska Humane Society’s Reckless Dog Owner declaration dated 2/7/2018

At the Administrative Board of Appeals meeting held on March 26, 2018, the applicant failed to appear before the board. Mark Langan appeared on behalf of the Nebraska Humane Society.

Mr. Langan recalled that on October 23, 2017 the Administrative Board of Appeals denied a request by the applicant to set aside a Potentially Dangerous Dog declaration for his dog Bo. As a requirement of the declaration, the dog could not be loose off of Mr. Werths property without being harnessed and muzzled and under the control of someone 19 years of age or older. He stated that on January 29, 2018 a lady was bitten on the arm and hand by Bo while she walked down the hallway of an apartment complex. The woman indicated that Bo had been loose on other occasions and that she was afraid of the dog. Bo was confiscated and was being held at the Nebraska Humane Society. A Reckless Owner declaration was issued to Mr. Werth for violating the requirements of the Potentially Dangerous Dog declaration. He appealed the decision to the Nebraska Humane society on February 7, 2018. NHS denied the appeal. Mr. Langan noted that this was the 4th bite on file for the dog since August 2017. He added that the applicant had pending Dangerous Dog cases in Douglas County Court.

Mr. Kruse stated that, in his opinion, it was clear that the dog was a threat to society.

Mr. Kruse moved to DENY the appeal. Mr. Santo seconded the motion.

AYES: Santo, Kruse, O’Connor

MOTION CARRIED 3-0. Appeal denied.

Approval of Minutes

Mr. Kruse moved to APPROVE the February 26, 2018 meeting minutes. Mr. Santo seconded the motion.

AYES: Santo, Kruse, O’Connor

MOTION CARRIED 3-0.

ADJOURN:

It was the consensus of the board the ADJOURN the meeting at 1:49 p.m.